

Introduced by Senator Yee

February 20, 2014

An act to add Section 4980.49 to the Business and Professions Code, relating to marriage and family therapists.

LEGISLATIVE COUNSEL'S DIGEST

SB 1148, as introduced, Yee. Marriage and family therapists: records retention.

Existing law, the Licensed Marriage and Family Therapist Act, provides for the licensure or registration and the regulation of marriage and family therapists by the Board of Behavioral Sciences, and makes a violation of the law a misdemeanor.

This bill would require a marriage and family therapist to retain a patient's health service records for a minimum of 7 years from the date therapy is terminated, and would also require a minor patient's health service records to be retained for a minimum of 7 years from the date the patient reaches 18 years of age. Because a violation of the bill would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4980.49 is added to the Business and
2 Professions Code, to read:
3 4980.49. A marriage and family therapist shall retain a patient's
4 health service records for a minimum of seven years from the date
5 therapy is terminated. If the patient is a minor, the patient's health
6 service records shall be retained for a minimum of seven years
7 from the date the patient reaches 18 years of age.
8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.

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